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Appln No.: 10/075,947
Amendment Dated: July 12, 2004
Reply to Office Action of March 25, 2004

REMARKS/ARGUMENTS

This is response to the Communication mailed June 30, 2004, and to the Office Action mailed March 25, 2004 for the above-captioned application. Applicants filed a response to the Official Action on April 25, 2004, which was deemed non-responsive due to an error in claim numbering (a claim numbered 30 was omitted). This revised paper corrects this error.

In response to the restriction requirement presented in the Official Action of March 25, 2004, Applicants hereby elect the invention of Group 3, as embodied by claim 11 of the original application.

As a first matter, it appears that the Examiner has failed to take into account the Preliminary Amendment filed June 5, 2002 as part of the Response to Notice to Comply. This amendment modified claim 11, and increased the number of claims to 28. Applicants have now submitted a further amendment, which places claim 11 in generic form, converts claim 23 which referred to a single nucleotide sequence (Seq. ID No. 1) to dependent form, and added dependent claims 29-41 to the application to recite Seq. ID No. 2, and the incorporation of therapeutic or pre-therapeutic moieties in the expressed polynucleotide.

It is noted that this preliminary amendment in the Response to Notice to Comply also amended the specification. Applicants request confirmation that these amendments have now been entered.

Respectfully Submitted,



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